

**Enrolled Minutes of the Fifty-Ninth Regular or Special Meeting  
For the Twenty-Seventh Highland Town Council  
Regular Meeting  
Monday, April 28, 2014**

*Study Session.* The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, April 28, 2014 at 6:35 p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Bernie Zemen, Konnie Kuiper and Dan Vassar were present. Councilor Mark Herak and Councilor Dennis Adams were absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council discussed the imminent agenda of the regular meeting.
2. The Town Council discussed the remaining appointment to the Traffic Safety Commission to be made by the Town Council from the membership of the Town Board of Metropolitan Commissioners.
3. The Town Council discussed a correction to the enrolled minutes regarding the identity of the councilors voting in favor and against the Use Variance sought by Lamar Outdoor Signs at the meeting of April 14. The Clerk-Treasurer indicated that the vote assignment would be changed.

The study session ended at 7:01 O'clock p.m.

*Regular meeting.* The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, April 28, 2014 at 7:02 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Dan Vassar presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Bernie Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and Councilor Konnie Kuiper offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Konnie Kuiper and Dan Vassar. Councilor Mark Herak and Councilor Dennis Adams were absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

**Also Present:** Scott Cherry and Bob Nicksic of the Skillman Corporation; Ed Dabrowski, Contract IT Coordinator; Randy Bowman, Assistant Inspector for Electrical; and Steve Mileusnich of the Advisory Board of Zoning Appeals; Kelly Bridges and Dawn Wolak of the Community Events Commission; and Don Ray of the Park and Recreation Board, were also present.

**Minutes of the Previous Meetings:**

The minutes of the regular meeting of April 14, 2014 were approved by general consent noting the correction to the recorded vote for the issue of the Lamar Sign variance request.

**Special Orders:**

1. **Executive Proclamation:** A Proclamation in Recognition of May 12, 2014 as Fibromyalgia Awareness Day in the Town of Highland.

The Clerk-Treasurer read the proclamation aloud and the Town Council President approved the proclamation by the execution of his signature.

**TOWN OF HIGHLAND  
PROCLAMATION OF the TOWN EXECUTIVE**

**A PROCLAMATION IN RECOGNITION OF MAY 12, 2014 AS FIBROMYALGIA AWARENESS DAY**

**WHEREAS**, An estimated 10 million people in the United States and millions of people worldwide have been diagnosed with fibromyalgia, a disease for which there is no known cause or cure; and

**WHEREAS**, It often takes an average of five years to receive a diagnosis of fibromyalgia, and medical professionals frequently are inadequately educated on the diagnosis and treatment of fibromyalgia; and

**WHEREAS**, Fibromyalgia is a chronic pain disorder—becoming an increasingly common diagnosis and taking a toll emotionally, financially and socially on patients, their family, friends, co-workers and community; and

**WHEREAS** Fibromyalgia is life-altering, preventing patients from contributing to society at the level they once did because of a myriad of symptoms that can come and go unpredictably and vary in severity; and

**WHEREAS**, People with fibromyalgia are never completely symptom-free; they are always in pain; this pain impacts every area of their life and others must step up to fill in the voids left when all the patients' efforts are focused on just getting through the day, showing just how much fibromyalgia truly hurts everyone; and

**WHEREAS**, The chronically ill place a larger burden on the health care and insurance industries and businesses that must cover the costly expenses associated with their treatment, medications and sometimes hospitalizations; and

**WHEREAS**, Society as a whole is also impacted when patients are physically unable to work and must depend on government assistance to survive; and

**WHEREAS**, Increased awareness and expanded knowledge of the realities of life with fibromyalgia will allow the community at large to better support patients and their family, friends, co-workers and employers who struggle with the challenges of this chronic pain disorder; and

**WHEREAS**, Fibromites Unite, the National Fibromyalgia & Chronic Pain Association, the Fibromyalgia Network, and other groups around our country have joined to promote fibromyalgia awareness and support - including improved education, diagnosis, research, and treatment,

**Now, Therefore**, I, Dan Vassar, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim May 12, 2014, as **Fibromyalgia Awareness Day** in the Town of Highland;

**Be it Further Proclaimed**, That the citizens of Highland are hereby encouraged to support the search for a cure and assist those individuals and families who deal with this devastating disorder on a daily basis.

**In Witness Whereof**, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 28<sup>th</sup> day of April in the year 2014.

**TOWN of HIGHLAND, INDIANA  
BY ITS TOWN COUNCIL PRESIDENT**

Dan Vassar

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

**Appointments:**

Home Rule Commissions

**Traffic Safety Commission:** (1) Appointment to be made by the Town Council from the membership of the Town Board of Metropolitan Police Commissioners.

1. Councilor Zemen moved the appointment of **Steve Jurczak** to the Traffic Safety Commission. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The appointment was made.

**Unfinished Business and General Orders:**

1. **Works Board Order No. 2014-10:** An Order of the Works Board Authorizing Midwestern Electric, Incorporated to Perform the Traffic Signal Annual Inspection and Maintenance for 2014 and Comply with Provisions of IC 22-5-1.7 et seq.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2014-10. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**TOWN OF HIGHLAND  
Board of Works  
Order of the Works Board 2014-10**

**AN ORDER OF THE WORKS BOARD AUTHORIZING MIDWESTERN ELECTRIC, INCORPORATED TO PERFORM THE TRAFFIC SIGNAL ANNUAL INSPECTION AND MAINTENANCE FOR 2014 AND COMPLY WITH PROVISIONS OF IC 22-5-1.7 ET SEQ.**

**Whereas**, The Town of Highland, Department of Public Works, as part of its public duties, has responsibility for the operation and maintenance of traffic signals in the Town of Highland; and

**Whereas**, Routine annual traffic signal inspections and maintenance is necessary to assure that traffic signals and associated equipment is good working condition for the public's safety and welfare; and

**Whereas**, Midwestern Electric, Incorporated has provided a proposal to perform the work, attached hereto, at a total cost of **\$12,873** and the work includes Conflict Monitor Check, Controller Cabinet and Intersection Inspection, and Annual Re-lamp and Overhead Inspection (with and without pedestrian Signals) as well as the overhead inspection with pedestrian signals for light emitting diode (LED) equipped lights; and

**Whereas**, The Public Works Director, pursuant to Section 3.05.050 (D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

**Whereas**, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1) of the HMC serves as purchasing agency for the Public Works Department; and

**Whereas**, The purchase price exceeds \$10,000.00 and, pursuant to Section 3.05.040 (C) of the HMC requires the express approval of the purchasing agency; and

**Whereas**, The purchase will be supported by the Motor Vehicle Highway fund and there is sufficient appropriation in order to support the work; and

**Whereas**, The Town Council now desires to authorize the Public Works Director to complete the work pursuant to the terms stated herein,

**Now Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana;

**Section 1.** That the proposal for Midwestern Electric, Incorporated, *attached hereto* and made a part of this Order, is approved pursuant to the terms contained therein, provided that it complies with the provisions of IC 22-5-1.7 et seq., and completes the relevant portions of the attached exhibit styled as Addendum for e-verify;

**Section 2.** That the Works Board for the Town of Highland believes that Midwestern Electric, Incorporated has demonstrated professional competence and qualifications to perform the particular professional services called for in the proposal and associated project;

**Section 3.** That the Works Board for the Town of Highland finds the fees and charges for the services as set forth in the proposal for inspection and maintenance work on traffic control system, from Midwestern Electric, Incorporated to be reasonable and fair and hereby approved;

**Section 4.** That the Public Works Director is hereby authorized to issue a purchase order to Midwestern Electric, Incorporated and to execute all documents necessary to implement the work;

**SECTION 5.** THAT THE MUNICIPAL FISCAL OFFICER IS HEREBY AUTHORIZED TO EXPEND MONEY FROM THE APPROPRIATE FUND OR FUNDS OF THE MUNICIPALITY IN ORDER TO SUPPORT AND IMPLEMENT THE WORK.

**Be it So Ordered.**

**DULY, PASSED AND ADOPTED** by the Town Council acting as the Board of Works of the Town of Highland, Lake County, Indiana this 28 day of April 2014 having passed by a vote of 3 in favor and 0 opposed.



(seal)

NOTARY

Affidavit pursuant to IC 22-5-1.7-11

- Works Board Order No. 2014-11:** A Preliminary Order for the 3300 block of Condit Street Reconstruction Project and Financing thereof through Municipal General Improvement Fund and Special Assessments from Property Owners Benefiting from such Improvements

Councilor Zemen moved the passage and adoption of Works Board Order No. 2014-11. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

TOWN OF HIGHLAND  
Order of the Works Board No. 2014 - 11

**A PRELIMINARY ORDER FOR THE 3300 BLOCK OF CONDIT STREET RECONSTRUCTION PROJECT AND FINANCING THEREOF THROUGH MUNICIPAL GENERAL IMPROVEMENT FUND AND SPECIAL ASSESSMENTS FROM PROPERTY OWNERS BENEFITING FROM SUCH IMPROVEMENTS**

**Whereas**, Pursuant to IC 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town"); and

**Whereas**, Pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town; and

**Whereas**, Several residents of the **3300 block of Condit Street** have requested consideration of the Town of Highland to install concrete curbs and to replace substandard sidewalks; and

**Whereas**, The cost for curb and sidewalk replacement shall be paid for by the adjoining property owners based upon front footage of their property through a special assessment pursuant to the Special General Improvement District statute; and,

**Whereas**, The Town Council desires to proceed with the **Condit Street Reconstruction Project** and to finance the portion of the cost of such projects relating to reconstruction of curbs and sidewalks (each such portion of a project, an "Improvement") through the Municipal General Improvement Fund; and

**Whereas**, The Town has retained Garcia Consulting to prepare plans and specifications for the **3300 Block of Condit Street Reconstruction Project**; and

**Whereas**, The Town desires to finance the costs of the improvements pursuant to assessments to be collected from the property owners benefited by the respective proposed improvements as set forth in IC 36-9-36.

**Now Therefore**, be it ordered by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Town Council hereby makes a preliminary determination to proceed with the **3300 Block of Condit Street Reconstruction Project** and to finance the cost of the improvements through the Municipal General Improvement Fund and the collection of special assessments from property owners benefited by the respective improvements pursuant to IC 36-9-36.

**Section 2.** That the Town Council hereby adopts the plans and specifications for the projects and directs the Project Engineer to place on file cross-sections, general plans and specifications for each of the improvements.

**Section 3.** That the Town Council hereby adopts the estimate of the maximum cost of each of the improvements attached hereto as Exhibit A and directs the Clerk Treasurer to place such estimate of maximum costs on file in the office of the Town Council.

**Section 4.** That the Town Council hereby determines to hold a public hearing regarding each of the improvements and whether the benefits that will accrue to the property liable to be assessed for the respective improvements will equal the maximum estimated cost of each of the improvements, which public hearing will be held at the regular meeting place of the Town Council at **7:00 P.M. on May 12, 2014**, and the Town Council further directs the Clerk Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the respective improvements.

**Be it so ordered.**

**Duly adopted** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board this 28<sup>th</sup> day of April, 2014 by a vote of 3 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, INDIANA

Dan Vassar, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

3. Authorize the advertisement for Bids for the Site Services Component Associated with the Construction of the Police Department Building to be located at 3315 Ridge Road, Highland.

Councilor Zemen moved to authorize the advertisement for bids for the Site Services Component associated with the construction of the Police Station. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The bid notice was authorized for advertisement.

4. Authorize the Proper Officer to advertise for Additional Appropriations in the Redevelopment Capital Fund the Proceeds of the \$2,000,000 Redevelopment Bonds of 2014.

Councilor Zemen moved to authorize the proper officer to advertise for additional appropriations as indicated. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The advertisement was authorized.

5. Ratify the Executive Session for Monday, **April 28, 2014 at 7:45 p.m.**, pursuant to Section 2.05.130 (E) and IC 5-14-1.5-6.1. (*48 hours Notice has been provided. This needs ratification.*)

Councilor Zemen moved to ratify the Executive Session as requested by the Town Council President. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Executive Session as called was ratified.

**Comments from the Town Council Members**  
(For the Good of the Order)

- **Councilor Bernie Zemen:** • *Liaison to the Park and Recreation Board* • *Chamber of Commerce Co-Liaison.*

Councilor Zemen reminded those present of the Highland Lion's Pancake Breakfast to be held Sunday, May 4, 2014 from 8:00 a.m. to 1:00 p.m. at the ARC Bridges facility on Kennedy Avenue, Highland.

Councilor Zemen recognized the Parks and Recreation Superintendent who reported in the annual Park Pride Day, a day in which volunteers are assigned parks to be cleaned.

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Board of Sanitary Commissioners* • *Liaison to the Community Events Commission* • *Liaison to the Board of Waterworks Directors.*

Councilor Herak was absent.

- **Councilor Dennis Adams:** • *Liaison to the IT Consultant.*

Councilor Adams was absent.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison* • *Town Board of Metropolitan Police Commissioners, Liaison* • *Chamber of Commerce Co-Liaison.*

Councilor Kuiper recognized the Fire Chief who offered added comments on recent Firefighter Training Classes conducted by the Highland Fire Department.

- **Council President Dan Vassar:** • *Municipal Executive* • *Redevelopment Department Liaison*.

The Council President recognized the Redevelopment Director who offered a brief report regarding the status of activities of the Main Street Board including the Car Cruise Event for May 31 on Highway Avenue.

The Council President also commended Councilor and Mrs. Zemen on 31 Years Wedding Anniversary.

The Council President announced that that Operation SOS group was looking site storage for its packaging materials.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public or visitors, Councilor Zemen moved to allow the vendor accounts payable vouchers as filed on the pending accounts payable docket, covering the period April 15, 2014 through April 28, 2014 as well as the payroll dockets for April 4 and April 18, 2014. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$195,167.87; Motor Vehicle Highway and Street (MVH) Fund, \$ 15,355.41; Local Road and Street (LRS) Fund, \$975.08; Federal Forfeiture and Seized Assets Fund, \$1,000.00; Law Enforcement Cont. Education and Supply Fund, \$181.82; Flexible Spending Account (FSA) Agency Fund, \$1,273.84; Information and Communications Technology Fund, \$12,029.41; Special Events Non Reverting Fund, \$83.39; Police Pension Fund (1925 Plan): \$63,320.37; Traffic Violations Fund, \$24,084.00; Total: \$ 313,471.19.**

**Payroll Docket for payday of April 04, 2014:**

**Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$12,856.96; Building and Inspection Department, \$7,028.41; Metropolitan Police Department, \$98,471.27; Fire Department, \$2,928.96; Public Works Department (Agency), \$58,355.04; and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$179,640.64.**

**Payroll Docket for payday of April 18, 2014:**

**Council, Boards and Commissions, \$8,671.30; Office of Clerk-Treasurer, \$12,076.07; Building and Inspection Department, \$6,375.61; Metropolitan Police Department, \$111,240.62; Fire Department, \$16,897.13; Public Works Department (Agency), \$58,530.58; and 1925 Police Pension Plan Pension Fund, \$63,239.63; Total Payroll: \$277,030.94.**

**Adjournment.** Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Zemen seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, April 28, 2014 was adjourned at 7:27 O'clock p.m. No study session followed the meeting.

Michael W. Griffin, IAMC/ MMC/ CPFA/CPFIM/CMO  
Town Clerk-Treasurer